

1 STATE OF NEW MEXICO
2 ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
3 OIL CONSERVATION DIVISION
4 SANTA FE, NEW MEXICO

5
6 Docket No. 07-24

7
8
9 Moderated by Gerasimos Razatos

10 Thursday, July 18, 2024

11 9:00 a.m.

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14 Pecos Hall
15 Wendell Chino Building
16 1220 South Saint Francis Drive
17 Santa Fe, NM 87505

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A P P E A R A N C E S

List of Attendees:

Gerasimos Razatos, Acting Director

Greg Bloom, Commissioner

Daniel R. Rubin, Esquire (by videoconference)

Dana S. Hardy, Esquire

Christy B. Trevino, Esquire

Sheila Apodaca, Law Clerk

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P R O C E E D I N G S

THE CHAIRMAN: Good morning, everybody. It's nine o'clock. I'm Gerasimos Razatos. I'm the new acting director for the Oil Conservation Division.

Am I speaking just too far? Is that why we've got an echo, Sheila?

MS. APODACA: I'm -- I'm not sure. I'm going to try to turn down your mic right now.

THE CHAIRMAN: Yeah, please.

So this is the July 18, 2024, meeting, and we'll start that. We'll do a roll call. As I said, I'm Gerasimos Razatos. I go by Gerry. I'm the new acting director for the Oil Conservation Division, and --

THE COMMISSIONER: Thank you, Mr. Chair. Welcome. I'm Greg Bloom. I'm the designee of the Commissioner of Public Lands, Stephanie Garcia Richard.

THE CHAIRMAN: Excellent. And Commissioner Ampomah was not able to make it today, but we have both of us, so we do have a quorum -- so we can have that for sure.

What I'd like to do first is do the approval of the July 18, 2024, agenda. So can we get a motion for that?

1 THE COMMISSIONER: I so move.

2 THE CHAIRMAN: Great. I second that.

3 Sheila, if we could just notate that
4 the agenda has been approved for this meeting?

5 We also have the approval of the June
6 20, 2024, meeting minutes. I, though, was not the
7 chair at the time, but I did review the actual
8 minutes. And I understand what took place and what
9 was in the minutes, and they seem appropriate to me.
10 Do we have a motion to be able to accept it?

11 THE COMMISSIONER: No modification to
12 the minutes. They look great. I so move.

13 THE CHAIRMAN: Excellent. And I will
14 second that as well.

15 So if we could show that we accepted
16 those minutes as well? Great.

17 So we will move on to our pending
18 cases. We have one case today. Case Number 24594,
19 the application of Targa Midstream Services, LLC, for
20 authorization to inject in Lee County, New Mexico.

21 Are the parties present this morning
22 for an appearance?

23 MS. HARDY: Yes, Mr. Chair, good
24 morning -- and Commissioner. Dana Hardy, with the
25 Santa Fe office of Hinkle Shanor, on behalf of Targa

1 Midstream Services, LLC.

2 THE CHAIRMAN: Excellent. Thank you.

3 MS. TREVINO: And Christy Trevino for
4 the Oil Conservation Division.

5 THE CHAIRMAN: Excellent. Thank you.

6 So we've got you all on record in
7 appearance. So what is the status of our case here?

8 MS. HARDY: Mr. Chair, Targa would like
9 to have this case set for hearing. I think it's ready
10 to proceed. We would like to have the hearing, if it
11 works for the Commission, on the August 15th meeting
12 date.

13 And I did consult with Counsel for OCD,
14 and it's my understanding that that date also works
15 for OCD. And we sent out the hearing notices, and so
16 far, we haven't had any entries of appearance, other
17 than OCD.

18 THE CHAIRMAN: Okay.

19 Ms. Trevino?

20 MS. TREVINO: And Ms. Hardy, was that
21 the 15th or the 16th?

22 MS. HARDY: I believe it's the -- is it
23 the -- I believe it's the 15th.

24 THE CHAIRMAN: I believe it's the 15th.
25 Right, Sheila? Our next meeting?

1 August 15th?

2 MS. APODACA: It is August 15th, yes.

3 MS. TREVINO: The Division doesn't have
4 any objection to that.

5 THE CHAIRMAN: Okay.

6 MS. TREVINO: And we will be -- I don't
7 know if this is the time for me discuss that we will
8 be calling about two witnesses, and we'll need to
9 reserve an hour for direct.

10 THE CHAIRMAN: Okay.

11 Do you have any -- are you going to
12 have witnesses as well?

13 MS. HARDY: Mr. Chair, yes. We will
14 have witnesses. I think -- I'm not sure how many at
15 this point. Probably at least two, maybe three.

16 And we would need to have them go
17 through their application and testimonies, I think.
18 Typically, that takes a couple of hours, probably,
19 depending on questions from the commission and other
20 counsel.

21 THE CHAIRMAN: Okay. Excellent.

22 Commissioner Bloom, do you have any
23 concerns or anything?

24 THE COMMISSIONER: So the opinion of
25 both parties is that we can conclude this in one day?

1 MS. HARDY: Yes, I believe so.

2 MS. TREVINO: Yes, I believe so.

3 THE COMMISSIONER: And do we know what
4 the schedule looks like for August?

5 THE CHAIRMAN: I did not bring it with
6 me. I apologize.

7 Sheila, do you have that by any chance?

8 MS. APODACA: So far as I know, it
9 would be this case that we're discussing, plus the new
10 application from Western Environmental Law Center for
11 rule-making hearings.

12 THE COMMISSIONER: So that sounds
13 doable to me, Mr. Chair.

14 THE CHAIRMAN: Excellent. Okay. I
15 think so as well. I don't think it'll be too big of a
16 burden for the day, so I think we can definitely
17 schedule it -- so let's schedule it for the August
18 15th.

19 Do we need to motion this? I
20 apologize.

21 Yes?

22 Mr. RUBIN: Mr. Chair?

23 THE CHAIRMAN: Yes. Yes, Mr. Rubin,
24 thank you.

25 MR. RUBIN: Good morning, Mr. Chair.

1 I'd like to apologize for having to appear via phone
2 and look forward to meeting you in person.

3 My only suggestion is that Ms. Trevino
4 and Ms. Hardy have a -- we agree upon some pre-hearing
5 disclosures I think would make for an orderly hearing.
6 If they have a proposal for some deadline by which
7 they have to exchange witness lists and exhibits?

8 THE CHAIRMAN: Excellent. Thank you,
9 Mr. Rubin. Appreciate it.

10 So do we have any agreement on that?

11 MS. HARDY: Mr. Chair, we haven't
12 discussed that matter, but typically under the
13 Commission's rules, we would file our pre-hearing
14 statement and exhibits a week before the hearing.

15 We don't typically file testimony in
16 our commission cases, although we could do that if the
17 commission would like us to. And typically that's
18 sufficient in these cases; I don't think we would need
19 earlier disclosure dates or court, you know.

20 We have the week before and then if
21 there is any rebuttal -- there's not a formal deadline
22 on rebuttal, but we typically submit it a day before
23 the hearing.

24 THE CHAIRMAN: Okay.

25 Ms. Trevino?

1 MS. TREVINO: I'll defer to Ms. Hardy.

2 THE CHAIRMAN: Okay.

3 Mr. Rubin?

4 MR. RUBIN: Yes, that sounds
5 acceptable. I don't have the rules in front of me,
6 but that does make perfect sense, and I think that
7 would work.

8 THE CHAIRMAN: Okay. Awesome.

9 So, Mr. Rubin, is it okay that we set
10 it now for the August 15th?

11 MR. RUBIN: Yes, the motion, I think,
12 would be in order to set this matter for the August
13 15th hearing.

14 THE CHAIRMAN: Okay. So we have a
15 motion to set this for the August 15th hearing.

16 Do we have any support for the --

17 THE COMMISSIONER: And --

18 THE CHAIRMAN: Go ahead.

19 MR. RUBIN: We need the motion.

20 THE CHAIRMAN: Oh, we need a motion.

21 THE COMMISSIONER: So I move to hear
22 Case Number 24594 at our next meeting on August 15,
23 2024.

24 THE CHAIRMAN: Excellent. And I second
25 that, so it will be slated for August the 15th.

1 So, Sheila, if you could notate that
2 for us, please?

3 MS. APODACA: Okay.

4 THE CHAIRMAN: Excellent.

5 Thank you, both. Okay.

6 MS. HARDY: Thank you.

7 THE CHAIRMAN: So our next topic is any
8 pending litigation.

9 Mr. Rubin?

10 MR. RUBIN: Nothing to report at this
11 time, other than in the Atencio matter, we are waiting
12 to hear back from the court of appeals as to whether
13 they will accept our petition for an interrogatory
14 appeal.

15 THE CHAIRMAN: Okay.

16 MR. RUBIN: We have also -- in our
17 previous meeting in court session, we have prepared an
18 answer which we will be filing by the extended
19 deadline late this month.

20 We hope to work with the counsel for
21 the codefendant -- executive defendant in that
22 regard -- to make sure we are consistent in our
23 answer. Nothing else at this time though.

24 THE CHAIRMAN: Okay. Excellent.

25 Appreciate it.

1 Our next point is any other business
2 that we may have. I actually do have one. I was
3 reviewing the schedule for -- now that I am the acting
4 director and as the chair -- the October 17th meeting,
5 I am going to be out of the country.

6 So I was going to see if it's okay if
7 we could move it up by one week: October the 10th.
8 And that's when I will be in town. I will be out for
9 a couple of weeks, so the 17th I will not be here.

10 Does that work for you, Commissioner?

11 THE COMMISSIONER: And I will be out of
12 town the week of October 7th.

13 THE CHAIRMAN: So you're out of town.

14 THE COMMISSIONER: I'm out of town, and
15 we'll also need to check with Dr. Ampomah as well.

16 THE CHAIRMAN: Well, I'll put it out
17 for the time being.

18 Sheila, if we could also check with
19 Dr. Ampomah and see what his schedule is, and then we
20 could come around maybe next month and see.

21 THE COMMISSIONER: The 24th would work
22 for me.

23 THE CHAIRMAN: I will still be out of
24 town.

25 THE COMMISSIONER: You're still out.

1 THE CHAIRMAN: Yeah.

2 THE COMMISSIONER: Yeah. We have the
3 31st --

4 THE CHAIRMAN: If we could potentially
5 move it to the 31st?

6 THE COMMISSIONER: -- which is
7 Halloween, and we know how delightful it would be if
8 we all showed up in costume, so.

9 THE CHAIRMAN: Right?

10 So we'll check with Dr. Ampomah, and
11 then we'll go from there. Great.

12 THE COMMISSIONER: Okay.

13 THE CHAIRMAN: Any other business that
14 we may have?

15 MS. APODACA: October 31st is the OCD
16 examiner hearing in Pecos Hall, so Pecos Hall won't be
17 available.

18 THE CHAIRMAN: Okay. So we can't the
19 31st.

20 THE COMMISSIONER: We could, Mr. Chair,
21 use another venue, and I could certainly check on the
22 availability of Morgan Hall at the Land Office.

23 THE CHAIRMAN: Okay. Excellent.

24 So we'll just get with Dr. Ampomah and
25 see his schedule, and then we can schedule it next

1 month, as well. Any other business for today?

2 Okay. Well, our next meeting is August
3 the 15th, 2024, and if there's nothing else, the
4 meeting is adjourned.

5 (Whereupon, at 9:10 a.m., the
6 proceeding was concluded.)

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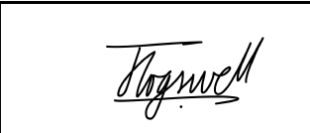
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CERTIFICATE

I, JAMES COGSWELL, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



JAMES COGSWELL
Notary Public in and for the
State of New Mexico

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MOLLY BURTON

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[perfect - topic]

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[town - yeah]

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